

In the United States Court of Federal Claims

No. 19-1616C

(Filed: December 13, 2019)

RICHARD E. TRICE,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On October 30, 2019, the court ordered “plaintiff to pay the \$400 filing fee in full within thirty days,” on or before November 29, 2019. ECF No. 7 at 2. In the order, the court informed plaintiff that “[f]ailure to comply with this order will result in the dismissal of his complaint for failure to prosecute.” *Id.* (citing Rule 41(b) of the Rules of the United States Court of Federal Claims (RCFC)). Although the court has received a number of filings from plaintiff since the entry of the court’s October 30, 2019 order, he has not submitted a filing fee.

On December 2, 2019, the clerk’s office received a motion from plaintiff “to change name of lead plaintiff(s) to Shawndra Garatt,” and to allow the case “to proceed in forma pauperis.” The clerk’s office is directed to **FILE** plaintiff’s motion on the docket, as a **motion to substitute plaintiff**, with leave of court. Once filed, plaintiff’s motion is **DENIED**. Neither plaintiff’s motion nor the existing record in this case indicate that Shawndra Garatt has any connection with the matters addressed by plaintiff in his complaint. As such, the court will not permit plaintiff to avoid the bar against his proceeding in forma pauperis by simply naming a relative as the plaintiff in his stead.

Accordingly, the clerk’s office is directed to **ENTER** final judgment **DISMISSING** plaintiff’s complaint with prejudice, pursuant to RCFC 41(b), for failure to prosecute. The clerk’s office is further directed to **REJECT** any future filings from plaintiff that are not in compliance with this court’s rules without further order of the court.

IT IS SO ORDERED.


PATRICIA E. CAMPBELL-SMITH
Judge